

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CHARLES CARL,

Plaintiff,

v.

MBNA AMERICA BANK NA,

Defendant.

Civil Action No. 05-918-SLR

**ORDER**

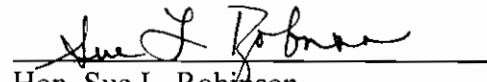
Upon consideration of Defendant's Motion to Take Deposition Out of Time, any Opposition thereto, and all other matters of record, it is this 7<sup>th</sup> day of June, 2007:

ORDERED, that Defendant's Motion be and hereby is GRANTED; and it is further

ORDERED, that Defendant MBNA America Bank, N.A. may take the deposition of Michael Haley beyond the May 30, 2007 discovery deadline upon his return to work at the ARC of Delaware, or at such other time as he is capable of providing a deposition in this matter; and

it is ORDERED that Plaintiff may not rely on an affidavit prepared by Mr. Haley in opposition to any dispositive motion filed by Defendant until such time as Defendant has taken Mr. Haley's deposition or has determined that no deposition of Mr. Haley is necessary; and it is further

ORDERED, that Defendant may subpoena Plaintiff's medical records from MeadowWood Behavioral Health System beyond the discovery deadline upon receipt of Plaintiff's executed release for those records, which Plaintiff is hereby ORDERED to sign and return to Defendant promptly upon receipt of this Order.

  
Hon. Sue L. Robinson  
United States District Judge